

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA

IN RE: )  
 ) Case No.10-04014-dd  
Andrade, Elba M. )  
 )  
 ) Chapter 11  
 )  
 ) **ORDER**  
 )  
 )  
Debtor )

This matter came before the Court on Motion by Debtor Elba Andrade requesting a discharge pursuant to 11 U.S.C. §114(d)(5)(A) or, in the alternative, pursuant to 11 U.S.C. §114(d)(5)(B). The attorney for the Debtor, Elizabeth Atkins, and the Assistant United States Trustee, John T. Stack, were present at the hearing. A timely objection to the motion was filed by the United States Trustee; no other objections were filed.

Counsel for the Debtor represented to the Court that the Debtor has completed payments to the unsecured creditors under the terms of her confirmed Chapter 11 Plan. These creditors are identified in Classes 4 and 5 in the confirmed Plan. The lone secured creditor, the mortgage holder on her personal residence, has not been paid in full but payments have been maintained in a current status. As a result, the Court is unable to find that the Debtor is entitled to a discharge. See 11 U.S.C. §114(d)(5)(A) “. . . the court [shall] grant a discharge upon completion of *all* payments under the plan.” Nor is the Court willing to grant a discharge under 11 U.S.C. §114(d)(5)(B).

The Court finds that the Debtor has shown cause for the granting of limited relief as to her unsecured creditors. Without objection,

**IT IS THEREFORE, ORDERED**, that the Debtor, Elba Andrade, is hereby granted a discharge of the debts and obligations that she has satisfied under the terms of her confirmed plan, as set forth hereinabove, pursuant to 11 U.S.C. 11 U.S.C. §105 and §114(d)(5)(A).

**AND IT IS SO ORDERED.**

**FILED BY THE COURT  
10/21/2019**



David R. Duncan  
Chief US Bankruptcy Judge  
District of South Carolina

Entered: 10/21/2019